

# FISCAL NOTE

**Bill #:** SB0243

**Title:** Revise extended jurisdiction  
prosecution act to exclude homicide  
offenses

**Primary  
Sponsor:** Fred Thomas

**Status:** As introduced

Sponsor signature	Date	Dave Lewis, Budget Director	Date
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## Fiscal Summary

	<b><u>FY2000 Difference</u></b>	<b><u>FY2001 Difference</u></b>
<b>Expenditures:</b>	\$0	\$0
<b>Revenue:</b>	\$0	\$0
<b>Net Impact on General Fund Balance:</b>	\$0	\$0

<b><u>Yes</u></b>	<b><u>No</u></b>		<b><u>Yes</u></b>	<b><u>No</u></b>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

## Fiscal Analysis

### ASSUMPTIONS:

1. This bill may impact populations of the boot camp and pre-release programs as well as adult probation caseloads. The fiscal impact is not measurable, as the Department of Corrections (DOC) is not able to quantify the court's discretionary usage of the provisions of this bill.
2. This bill may also impact the population of correctional facilities due to a longer period of supervision.
3. There is no fiscal impact to the Department of Justice.
4. There is no fiscal impact to the state-funded Judiciary.
5. There is no fiscal impact to the Department of Public Health and Human Services.

TECHNICAL NOTES:

1. Under current law 46-18-201, MCA, does not allow for direct commitment to boot camp or pre-release. DOC and the facility must approve of the placement. Section 41-5-208 (5) (a), MCA, could pose a dilemma for the DOC in the case of an offender who is not approved or fails the boot camp, pre-release or probation supervision, as this bill does not allow for placement in any other correctional facility.
2. The increased criminal penalties allowed under this legislation appear to violate the due process protections of the U.S. and Montana Constitutions.